

ORIGINAL

Manibusan

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FILED
DISTRICT COURT OF GUAM

AUG 23 2006 *nba*

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

JOHN G. MANIBUSAN,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

CRIMINAL CASE NO. 89-00104

CIVIL CASE NO. 06-00006

**MOTION FOR EXTENSION OF
TIME TO FILE ANSWER**

COMES NOW the United States of America, by and through undersigned counsel, and respectfully moves this Honorable Court for an order extending the time in which the government may respond to defendant's § 2255 motion. The reasons for this motion are set forth in the declaration of counsel, attached hereto.

Respectfully submitted this 23rd day of August, 2006.

LEONARDO M. RAPADAS

United States Attorney

Districts of Guam and NMI

By:

Karon V. Johnson

KARON V. JOHNSON

Assistant U.S. Attorney

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DECLARATION OF COUNSEL


I am the prosecuting attorney assigned to this case when defendant initially filed a motion for clarification of sentence October 3, 2005. I was on home leave from July 9 through August 18, 2006. On July 24, 2006, this Honorable Court ordered that the government respond to defendant's 2255 motion by August 22, 2006. The file and order were placed in my in-box, with no notation that it was time sensitive. I returned to work Monday, August 21, and have been dealing with the numerous files stacked in my in-box. Yesterday, August 22, I found the Manibusan file and saw that the order required me to file a response that day. This matter is very complicated, with a number of amendments to defendant's original motion, and I was not able to accomplish this so quickly.

I am asking for a extension of the time to file this response to Friday, August 25, 2006.

Respectfully submitted this 23rd day of August, 2006.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and NMI

By:


KARON V. JOHNSON
Assistant U.S. Attorney